IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 7002 of 2007()

AGAINST THE ORDER DATED 03/11/2007 IN CRMP. 9974 /2007 IN CP.165/2007 of J.M.F.C.-III, PUNALUR
CRIME NO.194/01 OF PUNALUR POLICE STATION

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: PETITIONER/8TH ACCUSED

SHAJI, S/O SIKKANTHAR,
ATTARUKIL PUTHEN VEEDU,
NEAR RAILWAY BRIDGE, H.S.WARD,
VALACODU.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
SUB INSPECTOR OF POLICE, PUNALUR POLICE STATION,
(CRIME NO.194/2001), REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7002 of 2007

Dated this the 19th day of November, 2007

ORDER

Application for regular bail. The petitioner is the 8th accused. He faces allegations for offences punishable under Secs.332 and 398 of the IPC. Altogether, there are 11 accused persons. Investigation is complete. Final report has already been filed. Cognizance has been taken. Committal proceedings has been registered. The petitioner had not appeared before the learned Magistrate. When he appeared and applied for bail, that application was dismissed. The allegation is that the logs belonging to the Government were removed and to deter the de facto complainant from discharging his duties, he was attacked. The petitioner remains in custody from 22/10/07.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. It is prayed that the petitioner, who has remained in custody from 22/10/07, may now be enlarged on bail subject to appropriate terms and

conditions.

3. The learned Public Prosecutor does not oppose the application. The incident in this case had taken place on 14/3/07. Considering the background of the case, appropriate conditions may be imposed to insist and ensure that the petitioner shall be available for trial, submits the learned Public Prosecutor. I am satisfied that the petitioner can be granted regular bail subject to appropriate terms and conditions.

4. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall report before the S.H.O. of the Punalur Police Station between 5 p.m. and 6 p.m. on all Sundays until the case against him is finally disposed of.

(R. BASANT, JUDGE)

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